



State of Wisconsin
2017 - 2018 LEGISLATURE

August 2017 Special Session

LRBa1060/1
MPG/JK/MES:all

**ASSEMBLY AMENDMENT 27,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

August 17, 2017 – Offered by Representatives OHNSTAD, STUCK, CROWLEY, FIELDS, SINICKI, BARCA, BERCEAU, BILLINGS, HEBL, HESSELBEIN, KESSLER, MASON, POPE, SHANKLAND, SPREITZER, VRUWINK, ZAMARRIPA, ZEPNICK and KOLSTE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 6: after “program;” insert “creating a levy limits exception for
3 a city or village containing such a zone;”.

4 **2.** Page 2, line 10: delete “ and making appropriations” and substitute “making
5 appropriations; and providing a penalty”.

6 **3.** Page 11, line 4: substitute “30,000,000” for “10,000,000”.

7 **4.** Page 15, line 24: after that line insert:

8 “**SECTION 18s.** 66.0602 (3) (m) of the statutes is created to read:

9 66.0602 (3) (m) 1. Except as provided in subd. 2., the limit otherwise applicable
10 under this section does not apply to a city or village that contains an electronics and

1 information technology manufacturing zone that is designated under s. 238.396
2 (1m).

3 2. Subdivision 1. does not apply after the first day of the 204th month beginning
4 after the creation of an electronics and information technology manufacturing
5 zone.”.

6 **5.** Page 22, line 25: after “claimant” insert “, not including zone payroll for
7 employees acquired by the claimant as a result of a merger or acquisition”.

8 **6.** Page 23, line 1: delete that line and substitute:

9 “2m. Multiply the amount determined under subd. 1. by a percentage
10 determined as follows:

11 a. For taxable years beginning after December 31, 2017, and before January
12 1, 2022, if the claimant employs at least 1,000 individuals in this state during the
13 taxable year, 17 percent.

14 b. For taxable years beginning after December 31, 2021, if the claimant
15 employs at least 13,000 individuals in this state during the taxable year, 17 percent;
16 if the claimant employs at least 12,000, but less than 13,000 individuals in this state
17 during the taxable year, 16 percent; if the claimant employs at least 11,000, but less
18 than 12,000 individuals in this state during the taxable year, 15 percent; if the
19 claimant employs at least 10,000, but less than 11,000 individuals in this state
20 during the taxable year, 14 percent; if the claimant employs at least 9,000, but less
21 than 10,000 individuals in this state during the taxable year, 13 percent; if the
22 claimant employs at least 8,000, but less than 9,000 individuals in this state during
23 the taxable year, 12 percent; if the claimant employs at least 7,000, but less than
24 8,000 individuals in this state during the taxable year, 11 percent; if the claimant

1 employs at least 6,000, but less than 7,000 individuals in this state during the
2 taxable year, 10 percent; if the claimant employs at least 5,000, but less than 6,000
3 individuals in this state during the taxable year, 9 percent; if the claimant employs
4 at least 4,000, but less than 5,000 individuals in this state during the taxable year,
5 8 percent; if the claimant employs at least 3,000, but less than 4,000 individuals in
6 this state during the taxable year, 7 percent; and if the claimant employs less than
7 3,000 individuals in this state during the taxable year, zero percent.”.

8 **7.** Page 27, line 5: after “claimant” insert “, not including zone payroll for
9 employees acquired by the claimant as a result of a merger or acquisition”.

10 **8.** Page 27, line 6: delete that line and substitute:

11 “2m. Multiply the amount determined under subd. 1. by a percentage
12 determined as follows:

13 a. For taxable years beginning after December 31, 2017, and before January
14 1, 2022, if the claimant employs at least 1,000 individuals in this state during the
15 taxable year, 17 percent.

16 b. For taxable years beginning after December 31, 2021, if the claimant
17 employs at least 13,000 individuals in this state during the taxable year, 17 percent;
18 if the claimant employs at least 12,000, but less than 13,000 individuals in this state
19 during the taxable year, 16 percent; if the claimant employs at least 11,000, but less
20 than 12,000 individuals in this state during the taxable year, 15 percent; if the
21 claimant employs at least 10,000, but less than 11,000 individuals in this state
22 during the taxable year, 14 percent; if the claimant employs at least 9,000, but less
23 than 10,000 individuals in this state during the taxable year, 13 percent; if the
24 claimant employs at least 8,000, but less than 9,000 individuals in this state during

1 the taxable year, 12 percent; if the claimant employs at least 7,000, but less than
2 8,000 individuals in this state during the taxable year, 11 percent; if the claimant
3 employs at least 6,000, but less than 7,000 individuals in this state during the
4 taxable year, 10 percent; if the claimant employs at least 5,000, but less than 6,000
5 individuals in this state during the taxable year, 9 percent; if the claimant employs
6 at least 4,000, but less than 5,000 individuals in this state during the taxable year,
7 8 percent; if the claimant employs at least 3,000, but less than 4,000 individuals in
8 this state during the taxable year, 7 percent; and if the claimant employs less than
9 3,000 individuals in this state during the taxable year, zero percent.”.

10 **9.** Page 29, line 15: after “Corporation.” insert “A person who enters into a
11 contract with the corporation under s. 238.396 (1m) may not claim the exemption
12 under this subsection in 2022 or in any year thereafter during the period covered by
13 the contract unless the person employs at least 13,000 individuals in this state in
14 2022 and in each year thereafter during the period covered by the contract. A person
15 who claims the exemption under this subsection and who does not maintain the
16 employment described in this subsection, shall repay to the department the amount
17 of the sales and use taxes the person would have paid if not for this exemption.”.

18 **10.** Page 35, line 12: after “zone.” insert “The zone shall be coterminous with
19 not more than one county in this state.”.

20 **11.** Page 36, line 2: after “zone.” insert “The corporation may not certify more
21 than one business under this subsection unless the business is an affiliate of a
22 business already certified under this subsection. The corporation may certify a
23 business for tax benefits for activities occurring in this state outside of the zone if the

1 activities are for the benefit of the operations within the zone, as determined by the
2 Wisconsin Economic Development Corporation.”.

3 **12.** Page 36, line 3: after “EXPENDITURES.” insert “(a)”.

4 **13.** Page 36, line 6: after “zone” insert “and the expenditure is made before
5 January 1, 2022”.

6 **14.** Page 36, line 7: delete “a period of 7 years” and substitute “the effective
7 period of the zone under sub. (2)”.

8 **15.** Page 36, line 10: after that line insert:

9 “(b) Notwithstanding par. (a), if a business fails to employ at least 13,000
10 full-time employees in this state on January 1, 2022, the corporation may certify the
11 business to receive additional tax benefits under par. (a) in an amount to be
12 determined by the corporation, but not exceeding 10 percent of the business’s capital
13 expenditures.”.

14 **16.** Page 36, line 23: after that line insert:

15 “4g. Fails to employ at least 1,000 full-time employees in this state on
16 December 31, 2018.

17 4r. Fails to employ at least 3,000 full-time employees in this state on January
18 1, 2022, or at any time thereafter during the effective period of the zone under sub.
19 (2).

20 (ab) Except as provided in par. (am), a business whose certification is revoked
21 under par. (a) shall be required to repay all tax benefits the business has claimed
22 under that certification and in addition shall be required to forfeit an amount equal
23 to 10 percent of the total amount of that certification.

1 (am) If the corporation revokes a certification under par. (a) 4r., the corporation
2 shall revoke all of the business's certifications under subs. (3) and (3m) and the
3 business shall repay all tax benefits the business has already claimed. The
4 corporation and the department of revenue shall share information necessary to
5 administer this paragraph.”.

6 **17.** Page 36, line 24: substitute “shall” for “may”.

7 **18.** Page 37, line 7: after that line insert:

8 “(dm) The corporation shall annually verify the number of full-time employees
9 that a certified business employs in this state, including by comparing the business's
10 payroll records with records of the department of workforce development concerning
11 relevant unemployment insurance claims and layoff notices.”.

12 **19.** Page 37, line 12: after that line insert:

13 “(hg) The corporation shall contract with a business certified under sub. (3).
14 Once a contract is executed under this paragraph, it may not be amended.

15 (hr) The contract under par. (hg) shall require the business to repay all tax
16 benefits the business has claimed for each job that the business eliminates as a result
17 of the business's automation or outsourcing.”.

18 **20.** Page 37, line 16: after that line insert:

19 “**(6) PARTIAL REIMBURSEMENT OF LOCAL GOVERNMENTS.** (a) In this subsection,
20 “local governmental unit” has the meaning given in s. 16.297 (1).

21 (b) If a business certified by the corporation under sub. (3) substantially ceases
22 operations, as determined by the corporation, in an electronics and information
23 technology manufacturing zone while the zone is in effect under sub. (2), the business
24 shall pay 30 percent of the principal and interest of a local governmental unit's

1 obligation if the obligation was issued to finance costs related to development
2 occurring in or for the benefit of the zone.”.

3 (END)